

W.D. WA 19-5198

AO 442 (Rev. 10/03) Warrant for Arrest

## UNITED STATES DISTRICT COURT

JUDICIAL District of IDAHO

UNITED STATES OF AMERICA  
v.

## WARRANT FOR ARREST

Brandon Robert Bailey

Case Number:

MS 19-10561-E-REB

To: The United States Marshal  
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest

Brandon Robert Bailey

Name

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

☐ Indictment  
 ☐ Information  
 ☒ Complaint  
 ☐ Order of court  
 ☐ Probation Violation Petition  
 ☐ Supervised Release Violation Petition  
 ☐ Violation Notice

charging him or her with (brief description of offense)

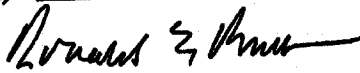
18 U.S.C. Section 922(g)(5) -- Unlawful Possession of a Firearm

in violation of Title 18

United States Code, Section(s) 922(g)(5)

Ronald E. Bush

Name of Issuing Officer



Signature of Issuing Officer

Chief U.S. Magistrate Judge

Title of Issuing Officer

10/02/2019

Boise, Idaho

Date and Location

## RETURN

This warrant was received and executed with the arrest of the above-named defendant at

NORTHWEST DETENTION CENTER, TACOMA, WA

DATE RECEIVED 10/3/2019	NAME AND TITLE OF ARRESTING OFFICER DAN HUYNH, SPECIAL AGENT HSJ	SIGNATURE OF ARRESTING OFFICER 
DATE OF ARREST 10/4/2019		

WD/WA #MJ19-5198

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the  
District of Idaho

United States of America  
v.  
Brandon Robert Bailey

Case No.

MS 19-10561-E-REB

Defendant(s)

FILED	LODGED
RECEIVED	
Oct 04, 2019	
CLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA	
BY	DEPUTY

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

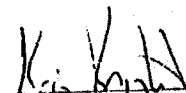
On or about the date(s) of September 16, 2019 in the county of Clark in the  
Judicial District of Idaho, the defendant(s) violated:

Code Section	Offense Description
18 U.S.C. § 922(g)(5)	Unlawful Possession of a Firearm

This criminal complaint is based on these facts:

On or about September 16, 2019, in the District of Idaho, the defendant, BRANDON ROBERT BAILEY, knowing that he was an alien illegally and unlawfully in the United States, did knowingly possess a firearm, that is, an SKS, semi-automatic rifle, with an obliterated serial number, and did so knowingly, said firearm having been shipped and transported in interstate and foreign commerce, in violation of Title 18, United States Code, Section 922(g)(5).

☒ Continued on the attached sheet.



Complainant's signature

Kris Knight, Special Agent

Printed name and title

Sworn to before me and signed in my presence, via teleconference call with the identity of the Complainant vouched for by AUSA John Shirts.

Date: 10/02/2019



Judge's signature

City and state: Boise, Idaho

Ronald E. Bush, Chief U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF COMPLAINT**

I, Kris Knight, being duly sworn do hereby depose and state as follows:

I am a Special Agent of the Department of Homeland Security (DHS). I am currently assigned to the Homeland Security Investigations (HSI) office in Idaho Falls, Idaho.

I am familiar with the information contained in this affidavit based both upon the investigation I have conducted and based on my conversations with other law enforcement officers involved in this investigation.

This affidavit is filed to establish probable cause for the following crime charged in the complaint.

**Unlawful Possession of a Firearm**

**18 U.S.C. § 922(g)(5)**

On September 16, 2019, Clark County Deputy Richard Lundberg encountered Brandon Robert BAILEY near Dubois, Idaho. BAILEY was travelling with another individual identified as Jason Richard Martin. During the encounter, BAILEY provided Deputy Lundberg with three separate false names.

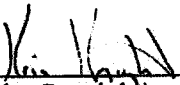
During a subsequent detention for providing false names, the deputy located BAILEY's Canadian driver's license. The license identified him as Brandon Robert BAILEY. When the deputy confronted BAILEY about his identity and criminal history, BAILEY admitted to being in possession of an SKS rifle. A search of BAILEY's bag revealed a black SKS rifle. The serial numbers on the rifle had been obliterated. Deputies also found over 100 rounds of ammunition and a high capacity magazine.

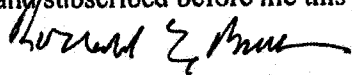
BAILEY was taken into custody and transported to the Clark County Jail. Mr. Martin, who was travelling with BAILEY was voluntarily transported to the neighboring county to assist him in traveling to his destination of California. While being transported, Mr. Martin thanked the deputy for getting him away from BAILEY. Mr. Martin stated that BAILEY told him he had a plan for getting money in the next town they visited. Mr. Martin explained that he believed BAILEY intended to rob someone with his firearm.

The firearm in BAILEY's possession was a SKS semi-automatic rifle. The serial number was obliterated. However, the manufacturer's mark was intact. According to a Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the SKS made with the visible manufacturer's mark on the rifle indicates that it was produced in China. The gun was therefore transported in interstate or foreign commerce to be present in Idaho and was therefore possessed in or affecting commerce by BAILEY.

Bailey is a citizen and national of Canada. According to Bailey, he crossed into the United States on foot at a place not designated as a port of entry. BAILEY told SA Knight that he crossed into the United States with the rifle, for protection, as he walked through the mountains. BAILEY is in the United States without being admitted or paroled and is currently being held in immigration custody.

FURTHER AFFIANT SAYETH NAUGHT

  
Kris Knight, Special Agent  
Homeland Security Investigations

Sworn to and subscribed before me this 2 day of October, 2019, via teleconference call with the  
 identity of the Affiant vouched for by  
AUSA John Shirts.

Ronald E. Bush  
Chief United States Magistrate Judge